

PETITION FOR SPECIAL HEARING

TO THE LONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John R. & Bessie I. Cherry legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the proposed use of the property as a service garage.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser John R. Cherry Legal Owner
Address 291.73' S. of Browns Road
Address 291.73' S. of Browns Road
Petitioner's Attorney John R. Cherry
Protestant's Attorney John R. Cherry

ORDERED By the Zoning Commissioner of Baltimore County, this 10th day of August, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that proper notice be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of October, 1980, at 10:00 A.M.

William E. Hammond
Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 8, 1980

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21204

William R. Sutton, Esquire
2115 Old Orens Road
Baltimore, Maryland 21220

RE: Item No. 43
John R. Cherry, et al
Special Hearing Petition

Dear Mr. Sutton:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on the case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This hearing originates as the result of a recent zoning violation hearing (Case No. C-79-688) in which it was determined that the existing service garage operation must cease. Because of your clients' proposal to prove that said use is nonconforming, this Special Hearing is required.

A recent field inspection indicated that there was a number of junk and disabled vehicles strewn about the property, and that the existing building is used for dwelling purposes only. Adjacent properties are zoned D.R. 5.5, as is the subject property, and consist of vacant land to the north and east and a dwelling to the south.

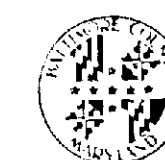
Particular attention should be afforded to the comments of the Department of Traffic Engineering and the Department of Permits and Licenses.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Comodari
NICHOLAS B. COMODARI, Chairman
Zoning Plans Advisory Committee

Enclosures
cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Md. 21237



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

September 26, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Item #43 (1980-1981)
Property Owner: John R. & Bessie I. Cherry
E/S Back River Neck Road 291.73' S. of Browns Road
Acres: 0.41 Acres: District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The submitted plan indicates that the main structure occupies a portion of the adjoining property to the north.

Highways:

Back River Neck Road, an existing County road, is improved in this vicinity as indicated, with a 48-foot closed section roadway on a 70-foot right-of-way.

The status of the indicated (16-foot road) at the rear of this property is unknown to this office and is assumed to be private.

The construction or reconstruction of concrete sidewalks, curb and gutter, entrance, apron, etc. is the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #43 (1980-1981)
Property Owner: John R. & Bessie I. Cherry
Page 2
September 26, 1980

Storm Drains: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

There is a public 16-inch water main in Back River Neck Road. Contrary to the statement on the submitted plan, public sanitary sewerage is not available to serve this property, which is assumed to be utilizing private onsite sewage disposal.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley
J. Somers
I. Forrest
R. Morton

1-55 Key Sheet
2 NR 34 Pos. Sheet
NE 1 I Topo
97 Tax Map

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

September 3, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 43 - ZAC - August 26, 1980
Property Owner: John R. & Bessie I. Cherry
Location: E/S Back River Neck Road 291.73' S. of Browns Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to approve a non-conforming use for a service garage

Acres: 0.41
District: 15th

Dear Mr. Hammond:

The entrance and driveway do not meet county standards. The plan should be redrawn to reflect field construction.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineering Associate II

MSF/hmd



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

October 6, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #43, Zoning Advisory Committee Meeting, August 26, 1980, are as follows:

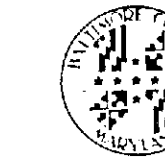
Property Owner: John R. & Bessie I. Cherry
Location: E/S Back River Neck Road 291.73' S. of Browns Road
Acres: 0.41 acres
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

October 2, 1980

Mr. William R. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #43, Zoning Advisory Committee meeting of August 26, 1980, are as follows:

Property Owner: John R. & Bessie I. Cherry
Location: E/S Back River Neck Rd. 291.73' S. of Browns Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to approve a non-conforming use for a service garage
Acres: 0.41
District: 15th

The dwelling is presently served by metropolitan water and a privy.

The soil survey manual for Baltimore County indicates the property is underlain by soils having severe limitations for use in subsurface sewage disposal due to slow permeability, poor natural drainage and a high groundwater table. Although no soil percolation tests have been conducted, it is very doubtful that a sewage disposal system installed in soils having such severe restrictions could be expected to operate correctly for any length of time. Therefore, the existing privy must be maintained in an approved manner.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

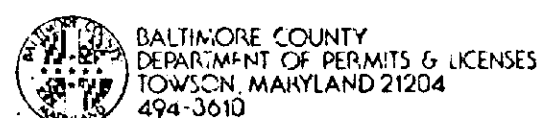
IJP/LW

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the Petition it appearing that by reason of the business structure being damaged by fire, to the extent of 75% of its replacement cost at the time of the loss, and the provisions of Section 104 of the Baltimore County Zoning Regulations indicating that in such event the right to continue or resume a nonconforming use shall terminate; therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of February, 1981, that approval of the nonconforming use of the subject property as and for a service garage be and the same is hereby DENIED.

William E. Hammond
Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
DEPARTMENT OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3010

TED J. ESKER, JR.
DIRECTOR

August 28, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #13 Zoning Advisory Committee Meeting, August 26, 1980 are as follows:

Property Owner: John R. & Bessie L. Cherry
Location: 2 1/2 Back River Neck Road 291.73' S of Browns Road
Existing Zoning: R-1, S-5
Proposed Zoning: Special Hearing to approve a non-conforming use for a service garage.

Acres: 0.11
District: 15th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Age 1, and other applicable Codes.
- B. A building permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. An Architect/Engineer seal is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 2" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code. Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and these required set of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.

X I. Comments: As a previously existing structure, Section 105.1 as amended is applicable. Should any alterations, modifications, additions or deletions be made to the structure, full compliance to the existing code would be required for the proposed change.

NOTE: These comments reflect only on the information provided by the drawing submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit.

If desired additional information may be obtained by visiting Room #102 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Murkin
Charles E. Murkin, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date: Sept. 2, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: August 26, 1980

RE: Item No: 38, 39, 40, 41, 42, 43,
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Nick Petrovich
Nick Petrovich, Assistant
Department of Planning

WNP/bp

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
E/S of Back River Neck Rd., 291.73' :
S of Browns Rd., 15th District : OF BALTIMORE COUNTY
JOHN R. CHERRY, et ux, Petitioners : Case No. 81-84-57H

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to

notify me of any hearing date or dates which may be now or hereafter designated

therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 30th day of September, 1980, a copy of the foregoing Order was mailed to William R. Sutton, Esquire, 2115 Old Crems Road, Baltimore, Maryland 21220, Attorney for Petitioners.

John W. Hession, III
John W. Hession, III

PRE-SIMPLE DEED-CODE-City or County

LIBER 3765 PAGE 335

This Deed, Made this 10th day of October,

in the year one thousand nine hundred and sixty, by and between
LOUIS L. SPELSHOUSE and ELIZABETH G. SPELSHOUSE, his wife,
of Baltimore County, in the State of Maryland, of the first part, and
JOHN CHERRY and BESSIE L. CHERRY, his wife, of Baltimore County, in the State of Maryland, of the second part.

Witnesseth, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the said parties of the first part

do grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's

heirs and assigns, in fee simple, all that lot of the ground, situate, lying and being in the 15th Election District of Baltimore County, in the State of Maryland, aforesaid, and described as follows, that is to say:-

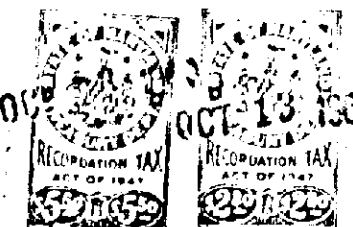
Beginning for the same in the center of the Back River Neck Road at the end of the first line of the land described in a deed dated September 26, 1933, and recorded among the Land Records of Baltimore County in Liber W.H.M. 659, folio 167, from Basil Brown and Olivia Brown, his wife, to Wesley Brown and Mary Brown, his wife, and running thence with and binding on the center of the Back River Neck Road south 28 degrees East 75 feet thence North 82 degrees 30 minutes East 325 feet to the westernmost side of a road 16 feet wide thence running with and binding on the westernmost side of said road North 17 degrees 27 minutes West 71.32 feet thence running South 82 degrees 30 minutes West 341.85 feet to the place of beginning.

BEING the same lot of ground described in a deed dated December 23, 1957, and recorded among the Land Records of Baltimore County in Liber G.L.B. 3287, folio 186, from Alexander Bedford and wife to Louis L. Spelshouse and wife.



10-13-80 8162 • 05370 PPG- 35.00

10-13-80 8162 • 05370 PPG- 35.00



Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or otherwise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's

heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors.

TEST:

F. Clifford Hane
F. Clifford Hane

Louis L. Spelshouse
Louis L. Spelshouse (SEAL)

Elizabeth G. Spelshouse
Elizabeth G. Spelshouse (SEAL)

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 10th day of October, in the year one thousand nine hundred and sixty, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appeared LOUIS L. SPELSHOUSE and ELIZABETH G. SPELSHOUSE, his wife,

the above named grantors, and they acknowledged the foregoing Deed to be their act. As Witness my hand and Notarial Seal.



F. Clifford Hane
F. Clifford Hane - Notary Public.

Rec'd for record OCT 13 1980 at 9:27
Per Walter J. Rasmussen, Clerk
Mail to F. Clifford Hane
Receipt No. 10-13-80



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7010

PAUL H. RENCKE
CHIEF

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Louis L. Spelshouse and Elizabeth G. Spelshouse

Location: 2 1/2 Back River Neck Road 291.73' S of Browns Road

Item No.: 43 Zoning Agenda: Meeting of Sept. 2, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below, marked with an "X", are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards, as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *Paul H. Rencke* Noted and Approved: *Paul H. Rencke*
PLANNING GROUP FIRE PREVENTION BUREAU
SPECIAL INSPECTION DIVISION

/mb

FRANK S. LEE

Registered Land Surveyor

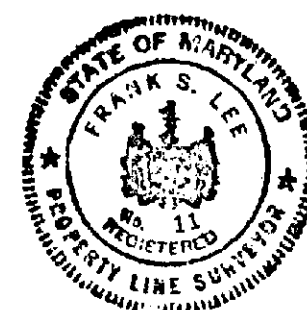
1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

July 17, 1980

No. 353 Back River Neck Road
15th District Baltimore County, Maryland

Beginning for the same on the east side of Back River Neck Road at the distance of 291.73 feet measured southeasterly along the east side of Back River Neck Road from the south side of Browns Road, thence running and binding on the east side of Back River Neck Road by a line curving to the left with a radius of 5694.58 feet for a distance of 75.53 feet, thence leaving Back River Neck Road for three lines of division as follows:— North 74 degrees 48 minutes 32 seconds East 287.11 feet, North 25 degrees 15 minutes 20 seconds West 71.33 feet and South 74 degrees 48 minutes 32 seconds West 302.50 feet to the place of beginning.

Containing 0.41 acres of land more or less.



PETITION FOR SPECIAL HEARING

15th District

ZONING: Petition for Special Hearing
LOCATION: East side of Back River Neck Road, 291.73 feet South of Browns Road
DATE & TIME: Tuesday, October 21, 1980 at 10:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use for a service garage

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of John R. Cherry, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, October 21, 1980 at 10:15 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
TO: _____ Date: October 5, 1980
Norman E. Gerson, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition No. 81-84-SPH Item 43

Petition for Special Hearing
East side of Back River Neck Road, 291.73 feet South of Browns Road
Petitioner: John R. Cherry, et ux

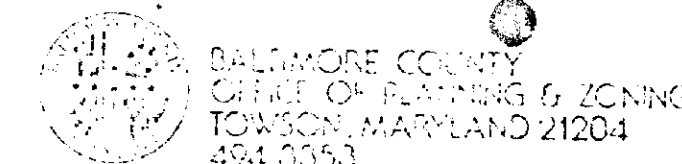
Fifteenth District

HEARING: Tuesday, October 21, 1980 (10:15 A.M.)

There are no comprehensive planning factors requiring comment on this type of petition.

Norman E. Gerson
Norman E. Gerson, Director
Office of Planning and Zoning

WEH:JCH:ab



WILLIAM E. HAMMOND
ZONING COMMISSIONER

October 9, 1980

William R. Sutton, Esquire
2115 Old Orens Road
Baltimore, Maryland 21220

RE: Petition for Special Hearing
E/S Back River Neck Rd., 291.73'
S of Browns Road
Case No. 81-84-SPH

Dear Mr. Sutton:

This is to advise you that \$55.25 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:sj

September 23, 1980

William R. Sutton, Esquire
2115 Old Orens Road
Baltimore, Maryland 21220

NOTICE OF HEARING

RE: Petition for Special Hearing - E/S Back River Neck Road, 291.73' S of Browns Road - John R. Cherry, et ux Case No. 81-84-SPH

TIME: 10:15 A.M.

DATE: Tuesday, October 21, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
WILLIAM E. HAMMOND
ZONING COMMISSIONER OF
BALTIMORE COUNTY

cc: Ms. Alberta Pugh
843 Middlesex Road
Baltimore, Maryland 21221

FILE NO. 9031

SUTTON AND SUTTON, P.A.
ATTORNEYS AT LAW
2115 OLD ORENS ROAD
BALTIMORE, MARYLAND 21220
(301) 686-2200

WILLIAM R. SUTTON

WILLIAM R. SUTTON, JR.

November 12, 1980

William E. Hammond, Esquire
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

RE: John R. Cherry, et ux.
Case No. 81-81-SPH

Dear Mr. Hammond:

Mr. Cherry has been summons in before the District Court for Baltimore County for alleged violations which has been postponed to November 25, 1980 at 11:00 a.m. The Honorable Judge Hinkel requested that I correspond with you relating to your decision in the recent zoning hearing so that he may render a verdict not in conflict with your decision.

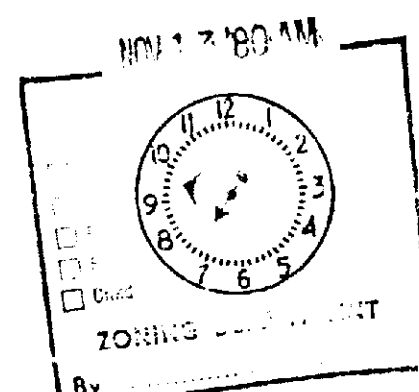
Your attention to this matter would be greatly appreciated.

Very truly yours,

William R. Sutton
William R. Sutton

WRS/kss

Advise attorney that I understand his client's request is to have the hearing postponed to November 25, 1980 at 11:00 a.m. which may make more sense to the court. He said he would check with the court.



February 24, 1981

William R. Sutton, Esquire
2115 Old Orens Road
Baltimore, Maryland 21220

RE: Petition for Special Hearing
E/S of Back River Neck Road, 291.73'
S of Browns Road - 15th Election District
John R. Cherry, et ux - Petitioners
NO. 81-84-SPH (Item No. 43)

Dear Mr. Sutton:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:eri

Attachments

cc: Mrs. Alberta Pugh
843 Middlesex Road
Baltimore, Maryland 21221

John W. Hession, III, Esquire
People's Counsel

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 10/15/80
Posted for: Petition for Special Hearing
Petitioner: John R. Cherry, et ux
Location of property: E/S Back River Neck Rd., 291.73' S of Browns Rd.
Location of Sign: Front of property (H 353 Back River Neck Rd.)
Remarks: _____
Posted by: *William E. Hammond* Date of return: 10/19/80
Number of Signs: 1

William R. Sutton, Esquire
2115 Old Orens Road
Baltimore, Maryland 21220

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Md. 21237

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 25th day of August, 1980

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: John R. Cherry, et ux
Petitioner's Attorney: William R. Sutton, Esq.

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

PETITION FOR SPECIAL HEARING

15th District
 LOCATION: East side of Back River Neck Road, 291.73 feet South of Browns Road.
 DATE & TIME: Tuesday, October 21, 1980 at 10:15 A.M.
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
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 All that parcel of land in the Fifteenth District of Baltimore County beginning for the same on the east side of Back River Neck Road at the distance of 291.73 feet measured southeasterly along the east side of Back River Neck Road from the south side of Browns Road, thence running and binding on the east side of Back River Neck Road by a line curving to the left with a radius of 584.58 feet for a distance of 75.58 feet, thence leaving Back River Neck Road for three lines of division as follows: North 74 degrees 48 minutes 32 seconds East 291.11 feet, North 25 degrees 16 minutes 20 seconds West 71.33 feet and South 74 degrees 48 minutes 32 seconds West 302.58 feet to the place of beginning.
 Containing 0.41 acres of land more or less.
 Being the property of John R. Cherry, et ux, as shown on plat plan filed with the Zoning Department.
 Hearing Date: Tuesday, October 21, 1980 at 10:15 A.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 By Order Of
 WILLIAM E. HAMMOND,
 Zoning Commissioner
 of Baltimore County
 Oct. 2.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 2, 1980
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~successive~~ of one time ~~successive~~ before the 21st day of October, 1980, the first publication appearing on the 2nd day of October, 1980.
 THE JEFFERSONIAN,
 L. Frank Sullivan, Manager.
 Cost of Advertisement, \$

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: 01										
Revised Plans: Change in outline or description										
Previous case: 79-320 V (Amended)										
Map #										

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received this 16th day of August, 1980

Filing Fee \$ 25.00 Received: ☒ Check ☐ Cash ☐ Other

William E. Hammond, Zoning Commissioner

Petitioner John R. Cherry Submitted by William E. Hammond

Petitioner's Attorney William E. Hammond Reviewed by William E. Hammond

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

Petition For Special Hearing

15th District
 Zoning: Petition for Special Hearing
 Location: East side of Back River Neck Road, 291.73 feet South of Browns Road.
 Date & Time: Tuesday, October 21, 1980 at 10:15 A.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing for Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a non-conforming use for a service garage.
 All that parcel of land in the Fifteenth District of Baltimore County beginning for the same on the east side of Back River Neck Road at the distance of 291.73 feet measured southeasterly along the east side of Back River Neck Road from the south side of Browns Road, thence running and binding on the east side of Back River Neck Road by a line curving to the left with a radius of 584.58 feet for a distance of 75.58 feet, thence leaving Back River Neck Road for three lines of division as follows: North 74 degrees 48 minutes 32 seconds East 291.11 feet, North 25 degrees 16 minutes 20 seconds West 71.33 feet and South 74 degrees 48 minutes 32 seconds West 302.58 feet to the place of beginning.
 Containing 0.41 acres of land more or less.
 Being the property of John R. Cherry, et ux, as shown on plat plan filed with the Zoning Department.
 Hearing Date: Tuesday, October 21, 1980 at 10:15 A.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 BY ORDER OF
 William E. Hammond
 Zoning Commissioner
 of Baltimore County

The Essex Times

Essex, Md., Oct 2 1980

This is to Certify, That the annexed

Petition

was inserted in The Essex Times, a newspaper

printed and published in Baltimore County, once in

each of successive

weeks before the 2nd day of

Oct 1980

Publisher.

BALTIMORE COUNTY, MARYLAND No. 093509

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE 01-662 ACCOUNT October 21, 1980

AMOUNT \$55.25 (Cash)

RECEIVED FROM William Sutton, Esquire

FOR Adv. & Posting for Case No. 81-84-SPH

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 091759

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

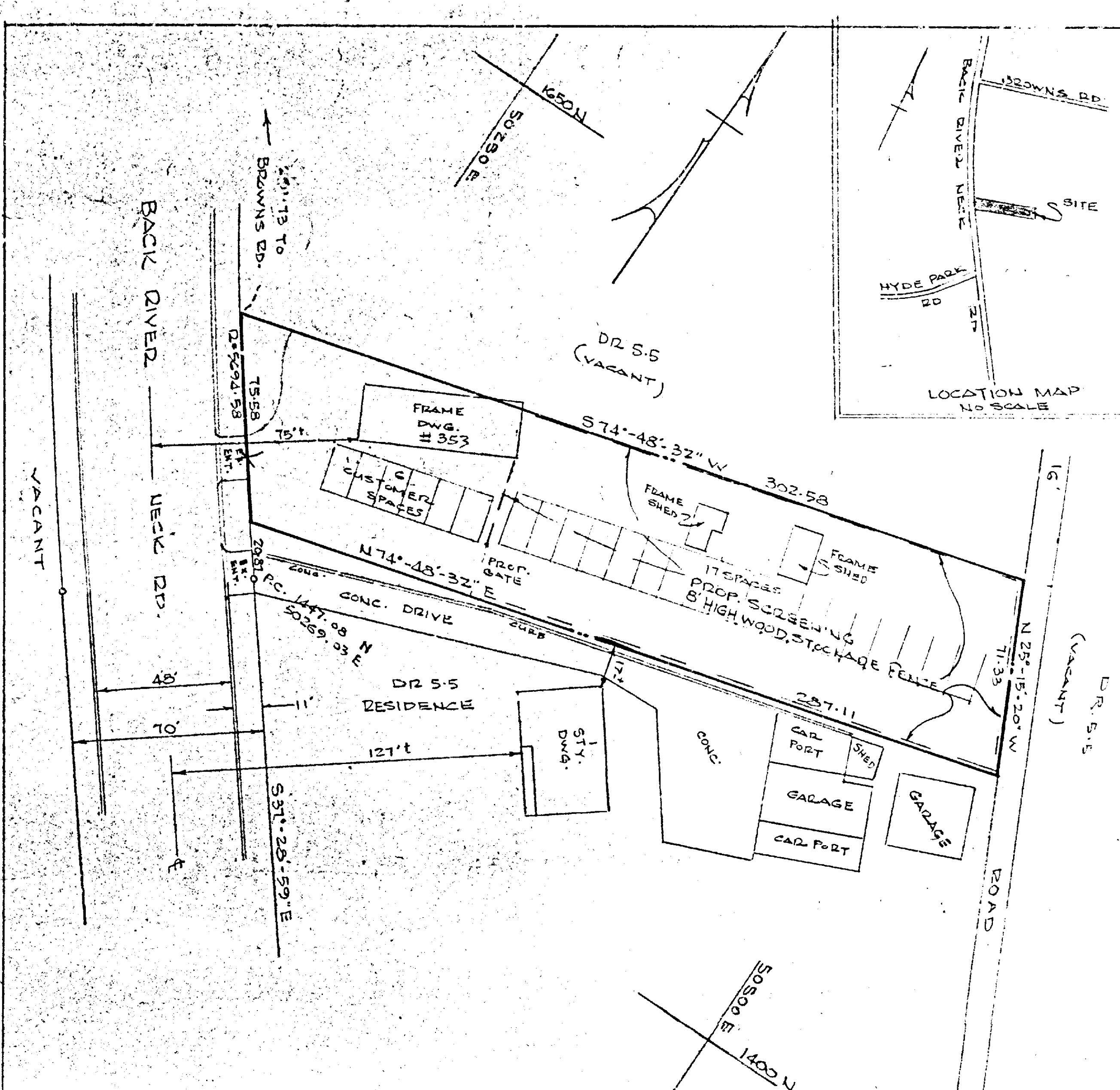
DATE 9/25/80 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM William R. Sutton, Esquire

FOR Filing Fee for Case No. 81-84-SPH

VALIDATION OR SIGNATURE OF CASHIER



EXISTING USE - SERVICE GARAGE
 PROPOSED USE - SAME
 EXISTING ZONING - DR 5-5
 PROPOSED ZONING - SAME, WITH A NON CONFORMING USE FOR A SERVICE GARAGE
 AREA OF LOT - 0.41 AC.

EXISTING PARKING AREAS - DIRT & LOOSE STONE

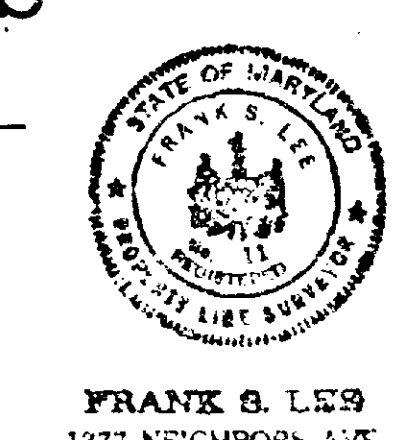
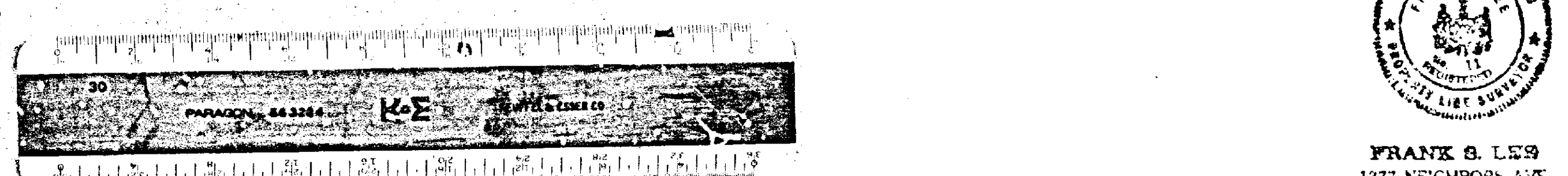
PUBLIC WATER & SEWERAGE NOW SERVICE LOT

OWNER
 JOHN CHERRY
 353 BACK RIVER NECK RD.
 BALTIMORE, MARYLAND 21221
 TELEPHONE: -681-0393

FLAT SHOWING NON CONFORMING USE, SERVICE GARAGE

15TH DISTRICT BALTIMORE COUNTY, MARYLAND
 SCALE: -1"=30'
 DATE: 6-17-80

PETITIONER'S
 EXHIBIT 2



FRANK S. LES9
 1277 NEIGHBORS AVE.